

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Status of the Claims

Claims 1-8 are pending in this application. All of the pending claims stand rejected. By this amendment, claims 7 and 8 are cancelled without prejudice or disclaimer. Claims 1 and 6 are amended. No new matter has been added by these amendment.

Rejection under 35 U.S.C. §103

Claims 1-8 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 2001-224740 to Hieda ("Hieda") in view of U.S. Patent No. 6,975,018 to Ohmi ("Ohmi"), and further in view of JP 09-323292 to Mitsuru ("Mitsuru").

As indicated above, claims 7 and 8 have been cancelled thereby rendering the rejections directed to these claims.

Claims 1 and 6 have been amended for further clarification. In particular, each of amended claims 1 and 6 incorporates the elements of cancelled claims 7 and 8. Specifically, amended claim 1 is directed to a switched capacitor circuit comprising, *inter alia*, "a switch formed by connecting in parallel a p-channel MIS field-effect transistor with an n-channel MIS field-effect transistor ... wherein gate widths of a top surface and a side surface of the p-channel MIS field-effect transistor and the n-channel MIS field-effect transistor are set such that the current drive capability of the p-channel MIS field-effect transistor can be substantially equal to current drive capability of the n-channel MIS field-effect transistor." Amended claim 6 recites similar features to claim 1 as described herein.

Applicant believes that none of the cited references (i.e., Hieda, Ohmi and Mitsuru) shows or suggests the above described features of the present invention in claims 1 and 6. The Office Action indicates, *inter alia*, that Hieda in paragraphs 0259 and 0260 discloses that the gate width of the projecting portion is set such that current drive capability of the p-channel MIS field-effect transistor can be substantially equal to current drive capacity of the n-channel MIS field-effect transistor. (page 5 of the Office Action)

However, Applicant notes that the cited sections of Hieda (i.e., paragraphs 0259 and 0260) merely describe that a plurality of fence 13 can be easily formed (paragraph 0259), and the fence 13 can be easily produced and embedded. In other words, Applicant believes that there is nothing in Hieda including the cited portions that teaches the above-indicated aspects of amended claims 1 and 6, e.g., the gate widths of a top surface and a side surface of the p-channel MIS field-effect transistor and the n-channel MIS field-effect transistor are set such that the current drive capability of the p-channel MIS field-effect transistor can be substantially equal to current drive capability of the n-channel MIS field-effect transistor.

Accordingly, each of claims 1 and 6 as amended is believed neither anticipated by nor rendered obvious in view of the cited references (i.e., Hieda, Ohmi and Mitsuru), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1 and 6 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Applicant has not specifically addressed the rejections of the dependent claims (i.e., claims 2-5).

Applicant respectfully submits that the independent claim (i.e., claim 1), from which they depend, is in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 5000-5295.

Respectfully submitted,
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